

PUBLIC NOTICE

Notice to Water Users
(Pursuant to Section 85-2-307, MCA)

The following application has been submitted to appropriate water in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION FOR BENEFICIAL WATER USE PERMIT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

OBJECTION DEADLINE: JULY 17, 2017. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020, PHONE: 406-538-7459, FAX: 406-538-7089.

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

Application Number: 41QJ 30070657

Owners: FAIRHAVEN COLONY INC
PO BOX 29
ULM, MT 59485 0029

Priority Date: SEPTEMBER 23, 2014 at 02:27 P.M.

Purpose (use): IRRIGATION

Maximum Flow Rate: 251.00 GPM

Maximum Volume: 202.10 AC-FT

Maximum Acres: 130.00

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNE	17	19N	1E	CASCADE
Period of Diversion: FEBRUARY 15 TO OCTOBER 15						Flow Rate: 251.00 GPM
Diversion Means: WELL						
Well Depth: 1,332.00 FEET						
Static Water Level: 139.30 FEET						
Casing Diameter: 8.60 INCHES						
Pump Size: 60.00 HP						

Reservoir: OFF STREAM

	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
		N2	17	19N	1E	CASCADE
Depth: 25.00 FEET						
Surface Area: 4.80 ACRES						
Current Capacity: 48.00 ACRE-FEET						

Purpose (Use): IRRIGATION **Purpose Clarification:** DRIP IRRIGATION

Irrigation Type: SPRINKLER

Climatic Area: 2 - MODERATELY HIGH

Volume: 202.10 AC-FT

Period of Use: APRIL 15 to OCTOBER 15

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	10.70		SE	7	19N	1E	CASCADE
2	1.50		SWSW	8	19N	1E	CASCADE
3	30.90		W2NW	17	19N	1E	CASCADE
4	86.90		NE	18	19N	1E	CASCADE
Total:	130.00						

Remarks:

IMPORTANT INFORMATION

****WATER MEASUREMENT RECORDS REQUIRED**

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER IN THE DELIVERY LINE OF THE GROUNDWATER WELL ASSOCIATED TO THIS WATER RIGHT. THE LOCATION OF THE FLOW METER MUST BE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT RECORDS MAY BE CAUSE FOR REVOCATION OF THE AUTHORIZATION. THE RECORDS MUST BE SENT TO THE LEWISTOWN WATER RESOURCES REGIONAL OFFICE BY NOVEMBER 30 OF EACH YEAR. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES THE FLOW RATE AND VOLUME ACCURATELY.

SUBMIT RECORDS TO:
LEWISTOWN WATER RESOURCES OFFICE
613 NE MAIN ST, SUITE E
LEWISTOWN, MT
PHONE: 406-538-7459
FAX: 406-538-7012

IMPORTANT INFORMATION

****MITIGATION PLAN**

PRIOR TO COMMENCING DIVERSIONS UNDER THIS PERMIT THE APPROPRIATOR SHALL MAKE PROVISION TO MITIGATE ADVERSE EFFECT TO SURFACE WATER RIGHTS BY REPLACING THE FULL VOLUME OF NET DEPLETION OF THE APPROPRIATION. THE APPROPRIATOR SHALL REPLACE AN EQUIVALENT AMOUNT OF WATER TO THE MAINSTEM OF THE MISSOURI RIVER IN THE FOLLOWING MANNER:

THE APPROPRIATOR SHALL MITIGATE DEPLETIONS TO SURFACE WATER AND PROVIDE FOR LEGAL AVAILABILITY OF SURFACE WATER UNDER THIS PERMIT THROUGH THE PURCHASE OF A U.S. BUREAU OF RECLAMATION (BOR) WATER SERVICE CONTRACT FROM CANYON FERRY RESERVOIR. THE VOLUME OF WATER STATED ON THE CONTRACT MUST BE AT LEAST 202.1 ACRE-FEET PER YEAR. ACTUAL DELIVERIES OF WATER UNDER SUCH CONTRACT MUST BE COMMENCED THE CALENDAR YEAR AFTER DIVERSIONS UNDER THIS PERMIT COMMENCE. APPROPRIATOR'S CONTRACT WITH THE BOR MAY PROVIDE THAT IN THE CALENDAR YEARS SUBSEQUENT TO THE FIRST CALENDAR YEAR IN WHICH WATER IS TO BE PUT TO BENEFICIAL USE, THE CONTRACT VOLUME DELIVERED MAY BE EQUAL TO BUT NOT LESS THAN THE VOLUME OF WATER ACTUALLY DIVERTED BY THE APPROPRIATOR IN THE PREVIOUS CALENDAR YEAR. A DELIVERY SCHEDULE ALLOWED BY THE BOR AND WHICH RESULTS IN THE FULL REPLACEMENT OF THE PRIOR CALENDAR YEAR'S DIVERSION VOLUME DURING THE FOLLOWING CALENDAR YEAR SHALL BE DEEMED SUFFICIENT UNDER THIS PERMIT. APPLICANT SHALL SUBMIT TO THE LEWISTOWN REGIONAL OFFICE, WITH ITS WATER MEASUREMENT RECORDS ON NOVEMBER 30 OF EACH YEAR, PROOF OF THE WATER SERVICE CONTRACT WITH BOR AS DESCRIBED ABOVE. DIVERSION UNDER THIS PERMIT MAY NOT COMMENCE UNTIL A WATER SERVICE CONTRACT WITH THE BOR IS EXECUTED. DIVERSION UNDER THIS PERMIT MUST STOP IF ANY PART OF THE REQUIRED MITIGATION CEASES.

PUBLISHED IN: GREAT FALLS TRIBUNE ON JUNE 17, 2015.